

The Austin I. O. O. F. and Rebekah Lodges will hold an open meeting on Wednesday night, April 24th, at their hall on the corner of Seventh and Colorado Streets, and the Senators and their friends are invited to attend.

On motion of Senator Neal, the invitation was accepted.

Memorial Service Announced.

On motion of Senator Holbrook, the Senate voted to set 11 o'clock a. m. Monday for the consideration of a resolution in memory of the late Hon. Joseph Weldon Bailey.

Adjournment.

On motion of Senator Wirtz, the Senate, at 10:15 o'clock a. m., adjourned until 10:00 o'clock Wednesday morning.

APPENDIX.

Committee Reports.

Senate Chamber,
Austin, Texas, April 22, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 3, A bill to be entitled "An Act making an appropriation of the sum of One Hundred Thousand (\$100,000.00) Dollars, or so much thereof as may be necessary, out of the general revenue, to pay the per diem and mileage of members, the per diem of officers and employees and the contingent expenses of the First Called Session of the Forty-first Legislature of the State of Texas convened on the 22nd day of April, 1929, by proclamation of the Governor; to supplement the like appropriation of the Regular Session of said Legislature; to pay any unpaid vouchers or warrants held by members, officers or employees of the Regular Session of said Legislature; to pay any unpaid claims and accounts of members, officers or employees of said Session or of other persons, authorized either by the Senate or the House of Representatives; to pay any and all sums for whatever purpose authorized to be expended by concurrent resolution

of the Forty-first Legislature at its Regular Session; to pay the per diem of members, officers or employees for pre-session and post-session work of the First Called Session of said Forty-first Legislature; providing how accounts may be approved and audited, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

POLLARD, Chairman.

THIRD DAY.

Senate Chamber,
Austin, Texas.

Wednesday, April 24, 1929.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Parr.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

S. C. R. No. 1.

Senator Wirtz sent up the following resolution:

Whereas, The Finance Committee of the Senate has made arrangements to leave on an inspection trip of the State institutions in East Texas in order to better familiarize themselves with the needs of such institutions, and

Whereas, It is necessary and desirable that such trip be made in the interest of the State, and their duties will require their absence from the City for more than 3 days, and

Whereas, When the Committee leaves on said trip there will not be a quorum of the Senate present in Austin, and

Whereas, No bills have been or can be reported from Committees in time to be printed and appear on the calendar for the remainder of this week; therefore, be it

Resolved, By the Senate, the House concurring, that when the Senate adjourns today it stand adjourned until Monday morning, April 29th at ten o'clock a. m.

WIRTZ,
WOODWARD.

The resolution was read.

Senator Westbrook raised the point of order that the Senate could not adjourn more than three days at one time, according to the Constitution.

The Chair stated that the Senate could not adjourn for more than three days at one time without the consent of the House, but that this resolution was designed to secure the consent of the House for the Senate to adjourn for a longer period.

The resolution was adopted.

Message from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives
Austin, Texas, Apr. 22, 1929
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. C. R. No. 1, Accepting an in-

itation from the University to make a tour of the campus.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Simple Resolution No. 1.

The Chair laid before the Senate Simple Resolution No. 1, relating to the rules of the Senate regarding precedence of bills.

Senator Westbrook inquired if it were not necessary, under the rules, for the Committee report to lie over one day. The Chair ruled that this resolution would be acted upon by the Senate only (i. e., it would not go to the House or the Governor) and therefore was not subject to the 24 hour rule.

The resolution was read.

Senator Holbrook sent up the following amendment:

Amend Simple Resolution No. 1 by striking out Amendment 11a in said resolution.

HOLBROOK,
WOODWARD.

The amendment was read.

Senator Wirtz raised the point of order that this amendment was out of order because it killed the resolution.

Senator Holbrook raised the point of order that the resolution contained two provisions, one of which provided for the adoption of the rules of the Senate adopted in the Regular Session and the other of which was affected by this amendment.

The Chair held that the part of the resolution covering the adoption of the rules adopted by the Regular Session was unnecessary; therefore, the resolution contained only one effective provision which was the provision which the amendment sought to strike out, thereby automatically killing the bill; therefore, the amendment was out of order.

Senator Wirtz sent up the following corrective amendment:

Amend the resolution by adding "taxation" after the word "appropriation" wherever it appears in the rule.

WIRTZ.

The amendment was read.

Senator Stevenson moved the previous question on the pending amendment. The previous question was ordered.

The amendment was adopted.
The resolution as amended was lost by the following vote:

Yeas—10.

Cousins.	Miller.
Cunningham.	Russek.
Gainer.	Small.
Martin.	Stevenson.
McFarlane.	Wirtz.

Nays—14.

Berkeley.	Neal.
DeBerry.	Parrish.
Holbrook.	Patton.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Witt.
Moore.	Woodward.

Absent.

Beck.	Pollard.
Greer.	Williamson.
Hardin.	

(Pairs Recorded.)

Senator Woodul (present), who would vote nay with Senator Parr (absent), who would vote yea.

Invitation Extended.

The Chair laid before the Senate the following invitation:

Austin, Texas, Apr. 24, 1929.
To the Senate and House of Representatives,

This is to invite you to attend the East Texas Chamber of Commerce at Bryan on May 7, 1929.

You are expected to respond to this invitation for the reason that most of you are originally from East Texas, and it will give you a chance to return home and visit with your friends and companions of bygone days. It will further give you an opportunity to see the development of both East Texas and Texas and will make you better acquainted with the industrial and economic life of your State. It will further give you inspiration and will help you to carry on your work.

East Texas expects you, the citizens of Bryan expect you and your people expect you to attend this Convention and we will endeavor to take care of your transportation on this trip and we promise you that the trip will be well worth your while. You know the hospitality of Texas

and you know that it originated in East Texas, so come and bring your folks and let's have a good time.

East Texas Chamber of Commerce,
Bryan and Brazos County Chamber of Commerce.
City of Bryan.

The invitation was read.

The Chair introduced District Judge W. C. Davis, of Bryan, who amplified the previous invitation.

On motion of Senator Woodul, the invitation was accepted.

Invitation Extended.

The Chair appointed Senator Westbrook to conduct Mr. Van Zandt, of the House of Representatives, to the platform. The Chair introduced Mr. Van Zandt who extended to the Senate an invitation to attend a special program at the Texas School for the Blind Thursday evening at 8 o'clock.

On motion of Senator Woodward, the invitation was accepted.

Message from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives
Austin, Texas, Apr. 24, 1929.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution.

S. C. R. No. 1, Consenting to the adjournment of the Senate until Monday, April 29, 1929.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Recess.

On motion of Senator Woodward, the Senate, at 11:55 o'clock a. m., recessed until 2:00 o'clock p. m.

After Recess.

The Senate met at 2:00 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

At Ease.

The Senate stood at ease while the House prepared a message to the Senate.

Joint Session.

The Chair announced that the Senate had been invited to attend a joint session to hear an address by Dr. H. Y. Benedict.

After Joint Session.

At the conclusion of the joint session, the Senate returned to the Senate Chamber.

Message from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives
Austin, Texas, Apr. 24, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. C. R. No. 2, Requesting the Representatives of Texas in Congress of the United States to enact a law providing for the issuance of a special coin.

S. B. No. 3, Making appropriations to pay mileage and per diem for the Special Session of the 41st Legislature.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Simple Resolution No. 2

Senator Beck sent up the following resolution:

Whereas, Agriculture is the chief industry of our Southland; and

Whereas, The marketing system for our crops is inadequate; and the fertility of our soil is being constantly depleted of its nitrogen contents; and the United States government now owns a hydro-electric plant at Muscle Shoals, Alabama, which cost more than \$150,000,000.00, and is capable of manufacturing sodium nitrate so necessary for the rehabilitation of our soils; and whereas, at the present time Chilean sodium nitrate sells at Texas points for \$60.00 per ton; and the Muscle Shoals plant if properly handled will materially reduce the cost of sodium nitrate; therefore, be it

Resolved, By the Senate of Texas; that our representatives in Congress

are urgently requested to support such measures that will give an adequate marketing system for our crops; and such measures that will permit the manufacture of nitrogen at the Muscle Shoals plant, thereby making it possible for our farmers to receive cheaper fertilizer; be it further

Resolved, That this resolution be printed in the Journal, and a copy thereof be mailed to our representatives in Congress.

BECK,
NEAL,
WILLIAMSON.

Read and adopted.

Simple Resolution No. 3.

Senator Hornsby sent up the following resolution:

Be it Resolved by the Senate that A. W. Holt, Sgt.-at-arms, be allowed pay from April 14th to 21st, inclusive, for work done in preparing Senate Chamber and rooms for the Called Session and getting supplies and typewriters on hand in advance, and for having repairs made on chairs, desks, etc., and be it further

Resolved, That Carl Boes, Engrossing and Enrolling Clerk, be allowed pay from April 14th to 21st, inclusive for assisting the Journal Clerk in proof reading the Journal of the Regular session, and be it further

Resolved, By the Senate that pay be allowed for pre-session work for porters as follows:

Buck Green.....	3 days
Fred Rambeau.....	3 days
Charlie Jackson.....	2 days

HORNSBY.

Read and adopted.

H. C. R. No. 2.

The Chair laid before the Senate the following resolution:

H. C. R. No. 2, Requesting Congress to introduce an Act providing for the issuance for 10,000 special half dollar coins to be known as the "Gadsen Purchase Coins," etc.

The resolution was read and adopted.

Bill Signed.

The Chair, Lieutenant Governor Barry Miller, gave notice of signing and did sign, in the presence of the

Senate, after its caption had been read, the following bill:

S. B. No. 3.

Adjournment.

On motion of Senator Love, the Senate, at 4:00 o'clock p. m. adjourned until Monday morning at 10:00 o'clock.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, April 24, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 3 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, April 24, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 3 carefully examined and compared and find the same correctly enrolled, and have this day, at 4 o'clock p. m. presented the same to the Governor for his approval.

WITT, Chairman.

Committee Reports.

Senate Chamber,
Austin, Texas, April 24, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Rules to whom was referred S. R. No. 1, have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it be adopted.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 24, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 1, A Bill to be entitled "An Act to provide for a system of pardons and paroles; to create a board to investigate and recommend

to the Governor prisoners who should be pardoned or released on parole or on furlough; to provide for the supervision of prisoners released on parole; making an appropriation to pay the salaries and defray the expenses of the board and its employees; enacting other things incidental to the subject of the Act; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the journal.

WOODWARD, Chairman.

By Hyer, Woodward, S. B. No. 1
Russek.

A BILL

To Be Entitled

An Act to provide for a system of pardons and paroles; to create a board to investigate and recommend to the Governor prisoners who should be pardoned or released on parole or on furlough; to provide for the supervision of prisoners released on parole; making an appropriation to pay the salaries and defray the expenses of the board and its employees; enacting other things incidental to the subject of the Act; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Board of Pardons and Paroles. There is hereby created a board to be known and designated under the official title of the Texas Board of Pardons and Paroles, hereinafter referred to as the Board. The Board shall consist of three duly qualified voters of the State of Texas of high character and broad understanding, who are interested in the reformation and rehabilitation of prisoners, two of whom shall be men and one a woman, to be appointed by the Governor, with the advice and consent of the Senate. Of those first appointed, one shall serve for a term of two years, one shall serve for a term of four years, and one shall serve for a term of six years, said terms to be designated by the Governor at the time of their appointment. All appointments thereafter shall be for a term of six years. Vacancies occurring in the Board shall be filled by appointment

by the Governor for the unexpired term. Said Board shall be furnished with an office or offices in the State Capitol building at Austin, properly furnished with necessary furniture and file cases, and provided with such stationery and other appliances which may be necessary for the discharge of its duties.

Sec. 2. Compensation of Members. The Governor shall designate one member of the Board as Chairman, who shall be duly qualified to practice law in the State of Texas. The Chairman shall be the executive officer and full time member of the Board and act as Chairman at all of its meetings, and during the term of his service shall reside in Austin, Texas. The Chairman shall receive an annual salary of \$3,000.00, payable monthly. The other two members of the Board shall receive a per diem of \$10.00 per day while engaged in the discharge of their official duties; and all members of the Board shall be reimbursed for their actual and necessary expenses while engaged in the discharge of their official duties.

Sec. 3. Meetings of the Board. The Board shall hold one regular meeting on the first Monday in the months of January, March, May, July, September and November, and as many additional meetings as shall be found necessary, and special meetings of the Board may be held at such times as may be designated by the Chairman, or by two members.

Sec. 4. Employees of Board. The Board shall employ a competent secretary, a supervisor of parole, and such clerical help as may be necessary. It shall be the duty of the secretary to assemble a complete record of all prisoners received by the prison system who may be, or may become, eligible to parole under the provisions of this law, as hereinafter provided, and to perform such other duties as may be required by the Board. It shall be the duty of the supervisor of parole to secure employment for paroled prisoners and to supervise and keep a record of them.

Sec. 5. Action on Application for Pardon. When an application for pardon is referred to the Board by the Governor, the secretary of the Board shall immediately, by

registered mail, notify the prosecuting officer or officers, and the sheriff of the County in which the applicant was convicted, or in which the alleged crime was committed, or both, of the filing of such application, and that they or either of them, or any interested party, may, within thirty days from the receipt of such notice, present in person or in writing to said Board their objection to the granting of such pardon. The Board shall make a thorough examination of each application that the Governor may refer to it and report in writing its recommendation thereon to him. Said Board shall spend such time each year as may be necessary in personally looking into the conditions of such convicts as it may desire, or as may be designated by the Governor, giving special attention to the cases of those of long service who may be so designated and who have no means for getting a proper petition before the Governor, to the end that the Board may have before its such data as will enable it to judge the condition of such convict and correctly to inform the Governor in reference thereto. All applications for pardon shall be taken up, considered and acted upon by said Board in the regular order of reference by the Governor, except when it appears to the members of said Board that there is extraordinary emergency in any case, in which event, the same may, with the consent of the Governor, be considered out of the regular order of its reference. Said Board shall keep a record in which shall be entered every case sent it by the Governor, giving the docket number of the convict, his name, age, and where convicted, his offense, his sentence, when received from the Governor, when notice of the application was given, the action taken by the Board on the application and the date of said action.

Sec. 6. Duties of the Board. It shall also be the duty of the Board to ascertain and report to the Governor what prisoners serving in the State penitentiary may profitably, both to themselves and to society, be released on parole, or furlough, and when and under what conditions. The Board shall also be charged with the duty of supervising all prisoners released on parole from the

prisons of the State, of making such investigations as may be necessary in connection therewith, of determining whether violation of parole conditions exists in specific cases and of deciding the action to be taken with reference thereto, and of aiding paroled prisoners to secure employment. It shall also be the duty of the members of such Board personally to study the prisoners confined in the prisons of the State eligible for parole, so as to determine their ultimate fitness to be paroled.

Sec. 7. Pre-parole records. As soon as practicable after each prisoner eligible for parole under this Act is received in the prisons of the State, it shall be the duty of the Parole Board to cause to be obtained and filed, information as complete as may be obtainable at that time with regard to each such prisoner. Such information shall include a complete statement of the crime for which he is then sentenced, the circumstances of such crime, the nature of his sentence, the court in which he was sentenced, the name of the Judge and district attorney and copies of such probation reports as may have been made, as well as reports as to the prisoner's social, physical, mental and psychiatric condition and history. It shall be the duty of any District Judge, District Attorney, County Attorney, Clerk of the court and of all probation officers and other public officials of this State having information with reference to any prisoners eligible to parole, to send such information as may be in their possession or under their control to the Board upon request of any member or employee of the Board. The Board shall also at that time obtain and file a copy of the complete criminal record of such prisoner, including any juvenile court record, that may exist.

Sec. 8. Who may be paroled. Every person sentenced to an indeterminate sentence and now confined in the penitentiary, or hereafter sentenced thereto on an indeterminate sentence, who has never before been convicted of a crime punishable by imprisonment in a State prison, in this or any other State or nation, when he shall have served a period of time equal to the minimum sen-

tence imposed upon him for the crime of which he was convicted, shall be deemed eligible for parole under the provisions of this Act. In addition, every person now confined in the penitentiary on a definite sentence, or who shall hereafter be sentenced thereto for a definite term, and who has never before been convicted of a crime punishable by imprisonment in a State prison in this or any other State or nation, shall be deemed eligible for parole when he shall have served one-third of the term for which he was sentenced. But in neither of the foregoing cases shall such person be recommended for release on parole under the terms of this Act until he shall have served such minimum period of time, nor until he shall have served at least one year of his sentence.

Sec. 9. Reasons for release. No prisoner shall be recommended for release on parole merely as a reward for good conduct or efficient performance of duties assigned in prison, but only if the Board of Parole is of the opinion that there is reasonable probability that, if such prisoner is released, he will live and remain at liberty without violating the law, and that his release is not incompatible with the welfare of society. If the Board shall so determine, it shall recommend that such prisoner shall be allowed to go upon parole outside of prison walls and inclosure upon such terms and conditions as the Board shall prescribe, but to remain while thus on parole in the legal custody of the Prison Board until the expiration of the maximum term specified in his sentence.

Sec. 10. Method of release. The consideration by said Board of the release of a prisoner on parole shall not be upon the application of the prisoner, but solely upon the initiative of the Board or a request of the Governor of this State. No application for release on parole made by a prisoner or on his behalf shall be entertained by the Board. At the last meeting of the Board prior to the expiration of the minimum time of each prisoner eligible for parole, it shall be the duty of the Board to cause to be brought before it all information with regard to such prisoner referred to in Section 7. In addition, it shall have before it a

report from the Warden or Manager of each prison or prison farm on which such prisoner has been confined as to the prisoner's conduct in prison, with a detailed statement as to all infractions of prison rules and discipline, all punishments meted out to such prisoner and the circumstances connected therewith, as well as a report from each such official as to the extent to which such prisoner has responded to the efforts made in prison to improve his mental and moral condition. Such Board shall also have before it the report of such physical, mental and psychiatric examinations as have been made of such prisoner. No prisoner shall be recommended for release on parole except by a majority vote of the members of the Board at a regular or special called meeting, nor unless the Board is satisfied that he will be suitably employed in self-sustaining employment if so released.

Sec. 11. Conditions of parole. When a prisoner is released on parole the Board shall specify in writing the conditions of his parole, and a copy of such conditions shall be given to the parolee. A violation of such conditions may render the prisoner liable to arrest and re-imprisonment for the full term of his sentence. The Board shall adopt general rules with regard to conditions of parole and their violation and may make special rules to govern particular cases, together with such other rules and regulations as may be necessary to carry out the purposes of the Act and the powers hereby conferred. Such rules, both general and special, may include, among other things, a requirement that the parolee shall not leave the State without the consent of the Board, that he shall contribute to the support of his dependents, that he shall make restitution for his crime, that he shall abandon evil associates and ways, that he shall carry out the instructions of his parole officer and in general so comport himself as such officers shall determine.

Sec. 12. Upon the discharge of any prisoner upon parole, either under the provisions of this Act, or through the exercise by the Governor of executive clemency, independent of this Act, such person so paroled, shall be furnished by the

proper officers of the State Prison Board with such clothing as is usually furnished to prisoners upon discharge from prison in this State, together with a non-transferable railroad ticket from the place of his discharge to the place of his conviction and sentence, and in addition thereto the sum of \$10.00.

Sec. 13. Violation of parole. If the parole officer having charge of a paroled prisoner, or any member of the Board, shall have reasonable cause to believe that such prisoner has lapsed, or is probably about to lapse, into criminal ways or company, or has violated the conditions of his parole, such parole officer or any member of the Board shall report such fact to the Governor, who thereupon shall issue a warrant for the re-taking of such prisoner and his return to the prison designated in such warrant.

Sec. 14. Retaking of a violator of parole. Any officer authorized to serve criminal process, or any peace officer to whom such warrant shall be delivered is authorized and required to execute such warrant by taking such prisoner on parole, there to be held to await the action of the Board. Such officer, other than an officer of the prison or parole officer, shall be entitled to receive the same fees therefor as upon the execution of a warrant of arrest at the place where said prisoner shall be retaken, and as for transporting a convict from the place of arrest to the prison, in case such officer also transports said prisoner to the prison. Such fees of the officer, other than a prison officer or parole officer, and the expenses of a parole or prison officer in executing such warrants shall be paid by the Warden or Manager of the prison in which prisoner has been confined, out of the moneys standing to the credit of such paroled prisoner, if any, or sufficient therefor, and otherwise out of the funds of the prison, in which case such expenses shall be charged against and deducted from any moneys which may stand to the credit of such prisoner in the future.

Sec. 15. Board to act on violations of parole. Whenever there is reasonable cause to believe that a prisoner who has been paroled has violated his parole, the Board at its next meeting shall declare such pri-

soner to be delinquent and time owed shall date from such delinquency. The Warden or Manager of the prison shall promptly notify the Board of the return of a paroled prisoner charged with violation of his parole. Thereupon, such Board shall, as soon as practicable, hold a parole court at such prison and consider the case of such parole violator, who shall be given an opportunity to appear before such Board and explain the charges made against him. The Board shall within a reasonable time act upon such charges, and may if it sees fit, require such prisoner to serve out in prison the balance of the maximum term for which he was originally sentenced calculated from the date of delinquency, or such part thereof as it may determine.

Sec. 16. Felony committed while on parole. If any prisoner be convicted of a felony committed while on parole, he shall, in addition to the sentence which may be imposed for such felony, and before beginning to serve such sentence, be compelled to serve in State's prison the portion remaining of the maximum term of the sentence on which he was released on parole from the time of such release on parole to the expiration of such maximum. No such person shall be eligible for any further parole at any time.

Sec. 17. No discharge from parole. No person released on parole shall be discharged from parole prior to the expiration of the full maximum term for which he was sentenced. The Board, however, may relieve a prisoner on parole from making further reports and may permit such prisoner to leave the State, or country, if satisfied that this is for the best interests of society.

Sec. 18. Records. The Board shall cause complete records to be kept of every prisoner released on parole. Such records shall contain the finger prints, aliases and photograph of each such prisoner as far as available and the other information referred to in this Act, as well as all reports of parole officers with relation to such prisoner. The Board may make rules as to the privacy of such records and their use by others than the Board and its staff.

Sec. 19. Cooperation; right of access to prisons. The Warden or

Manager of each prison and all officers and employees thereof and all other public officials and employees shall at all times cooperate with the Board, and shall furnish to such Board, its officers and employees such information as may be necessary to enable it to perform its functions, and such Wardens and other employees shall at all times give the members of such Board, its officers and employees, free access to all prisoners confined in the prisons of the State.

Sec. 20. Long Term Sentence. On and after the date this Act takes effect all prisoners who shall receive a sentence in excess of Twenty-five years, including sentence of natural life, shall, at the expiration of nineteen calendar years servitude, with a clear prison record, be eligible to a parole under the provisions of this Act.

Sec. 21. Credit for Time earned and Overtime. In computing the time of service of prisoners under this Act there shall be taken into consideration such commutation of time which may have been earned by such prisoners for good behavior for overtime service under the laws of this State.

Sec. 22. Executive Clemency. The provisions of this Act shall not be construed to prevent or limit the exercise by the Governor of this State of powers of executive clemency vested in him by the Constitution of this State, and the Board of Parole shall have no power to grant the right of parole to any prisoner except by and through the Governor of this State in the exercise of such power of executive clemency.

Sec. 23. Repeal of conflicting laws. Article 6203 of the Revised Civil Statutes, 1925, of the State of Texas, and all laws and parts of laws in conflict herewith are hereby repealed. It is expressly provided, however, that if any portion of this Act shall be held unconstitutional, it shall not affect any other portion hereof, or provision herein.

Sec. 24. Appropriation for Bien-nium. For the purpose of paying the per diem and expenses of the members of the Board and the salaries and expenses of its employees, and the expenses of maintaining its officer, there is hereby appropriated from any funds in the Treasury not

otherwise appropriated the sum of Twenty-five thousand dollars for the years 1929-1930, and a like amount for the years 1930-1931.

Sec. 25. Emergency Clause. The fact that there is now no law providing an adequate system of paroles and pardons in this State, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

FOURTH DAY.

Senate Chamber,
Austin, Texas,

Monday, April 29, 1929.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Hardin.	Russek.
Holbrook.	Small.
Hornsby.	Stevenson.
Hyer.	Thomason.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Gainer.	Westbrook.
Greer.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Small.

Bills and Resolutions.

By Senators Woodward, Holbrook, Hornsby and Small.

S. B. No. 4, A bill to be entitled "An Act regulating and imposing duties and restrictions on certain public utilities, providing for the regulation of rates to be charged by pub-

lic utilities, for service rendered, that the rates charged shall be just and reasonable and that the service rendered shall be adequate, efficient and reasonable, requiring reports to be made by utilities, creating a Public Utilities Commission, etc., and declaring an emergency."

The bill was read first time and referred to Committee on State Affairs.

By Senator Moore.

S. B. No. 5. A bill to be entitled "An Act amending Article 198, Title 8, of the Revised Civil Statutes of 1925 as amended by Chapter 255 of the General and Special Laws of the Regular Session of the 40th Legislature so as to create the 12th Supreme Judicial District of Texas, etc., and declaring an emergency."

The bill was read first time and referred to Committee on Judicial Districts.

By Senator Love.

S. B. No. 6, A bill to be entitled "An Act to amend Article 2963, Article 2965 and Article 2968 of the Revised Civil Statutes of Texas relating to the mailing of poll tax receipts to certain persons and providing for the mailing of poll tax receipts to property taxpayers subject thereto; etc., and declaring an emergency."

The bill was read first time and referred to Committee on Civil Jurisprudence.

By Senator McFarlane.

S. B. No. 7, A bill to be entitled "An Act relating to the State Penitentiary and the State Prison System; increasing the duties, powers and functions of the Texas Prison Board; etc., and declaring an emergency."

The bill was read first time and referred to Committee on Penitentiaries.

Senators Excused.

On motion of Senator Thomason, Senators Greer and Westbrook were excused for the day on account of important business.

On motion of Senator Moore, Senator Hyer was excused for the day on account of important business.

Messages from the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger